

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
FRANKLIN BENITO ROPER-PRICE	:	VIOLATIONS: 8 U.S.C. § 1326(a) and (b)(2) (illegal re-entry after deportation - 1 count) Notice of prior convictions Notice of additional factors

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about August 26, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

FRANKLIN BENITO ROPER-PRICE

an alien, being a citizen of Panama, who had previously been deported from the United States on or about April 10, 2001, was thereafter found in the United States, having knowingly and unlawfully re-entered the United States without first applying to the Attorney General of the United States or his successor, the Secretary of Homeland Security (Title 6, United States Code, Sections 202(3), (4) and 557), for permission to reapply for admission, and without receiving in response the express consent of the Attorney General or his successor to reapply for admission.

In violation of Title 8, United States Code, Section 1326(a) and (b)(2).

NOTICE OF PRIOR CONVICTIONS

THE GRAND JURY FURTHER CHARGES THAT:

Defendant Franklin Benito Roper-Price committed the offense charged in Count One of this indictment after having been convicted of the following drug trafficking felony:

(1) On or about February 23, 1993, in the Philadelphia County Court of Common Pleas, March Term, 1992, No. 4363, the defendant was convicted of the offense of manufacture, delivery or possession with intent to manufacture or deliver a controlled substance, cocaine, in violation of 35 P.S. 780-113(30).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offense charged in count one of this indictment, defendant

FRANKLIN BENITO ROPER-PRICE

- a. Committed any part of the instant offense subsequent to sustaining a conviction of a felony that is a drug trafficking offense for which the sentence imposed exceeded 13 months, as described in U.S.S.G. § 2L1.2(b)(1)(A).

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY